

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED NOV 21 2016

JAMES B. JONES, JR.,	:	CIVIL ACTION
<i>Petitioner,</i>	:	
	:	
v.	:	
	:	No. 16-1325
COMMONWEALTH OF	:	
PENNSYLVANIA, et al.,	:	
<i>Respondents.</i>	:	

ORDER

AND NOW, this 18th day of November, 2016, having considered the Petition for Writ of *Habeas Corpus* filed by Petitioner (Docket No. 1), the Response thereto (Docket No. 9), Petitioner's Reply (Docket No. 10), U.S. Magistrate Linda K. Caracappa's Report & Recommendations (Docket No. 11), and Petitioner's Objection to the Report & Recommendations (Docket No. 14), it is hereby **ORDERED** that:

1. The Petitioner's Objection (Docket No. 14) is **OVERRULED**.¹
2. The Report & Recommendations are **APPROVED** and **ADOPTED**.
3. The Petition for Writ of Habeas Corpus (Docket No. 1) is **DISMISSED** with prejudice without an evidentiary hearing.
4. There is no probable cause to issue a certificate of appealability.²

¹ Petitioner filed no substantive objections to Magistrate Judge Caracappa's Report & Recommendations. Rather, Petitioner only stated that he objected, without providing any legal grounds or reasoning for his objection. Because the Court adopts Magistrate Judge Caracappa's Report & Recommendations for the reasons stated therein, the Court overrules Petitioner's objection.

² A certificate of appealability may issue only upon "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner must "demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Lambert v. Blackwell*, 387 F.3d 210,

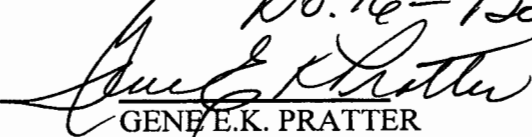
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CLERK OF COURT

5. The Clerk of Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT: *No. 16-1325*

GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

230 (3d Cir. 2004). The Court agrees with U.S. Magistrate Judge Caracappa that there is no probable cause to issue such a certificate in this action.